

FIFTH DAY.

(Monday, January 17, 1921.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Thomas.

The roll was called and the following members were present:

Adams.	Jones.
Aiken.	Kellis.
Baker.	King.
Baldwin.	Kveton.
Barker.	Lackey.
Barrett of Bell.	Laird.
Barrett of Fannin.	Lauderdale.
Bass.	Lawrence.
Beasley	Leslie.
of Hopkins.	Lindsey.
Beasley	Looney.
of McCulloch.	McCord.
Beavens.	McDaniel.
Binkley.	McFarlane.
Bonham.	McKean.
Black, O. B.,	McLeod.
of Bexar.	Malone.
Black, W. A.,	Martin.
of Bexar.	Marshall.
Brady.	Mathes.
Branch.	Melson.
Bryant.	Merriman.
Burkett.	Miller of Parker.
Burns.	Moore.
Carpenter.	Morris of Medina.
Childers.	Morris
Chitwood.	of Montague.
Coffee.	Neblett.
Crawford.	Owen.
Cummins.	Patman.
Curtis.	Perkins
Darroch.	of Cherokee.
Davis, John E.	Perkins of Lamar.
of Dallas.	Perry.
Davis, John,	Pollard.
of Dallas.	Quaid.
Dinkle.	Quicksall.
Duffey.	Quinn.
Duncan.	Rice.
Edwards.	Rogers of Harris.
Estes.	Rogers of Shelby.
Fly.	Rountree.
Fugler.	Rowland.
Garrett.	Satterwhite.
Greer.	Seagler.
Grissom.	Sims.
Hall.	Smith.
Hanna.	Sneed.
Hardin.	Stephens.
Harrington.	Stevenson.
Henderson	Stewart
of Marion.	of Edwards.
Hendricks.	Stewart of Reeves.
Hill.	Swann.
Horton.	Sweet of Brown.
Johnson of Ellis.	Sweet of Tarrant.
Johnson	Teer.
of Wichita.	

Thomas.	Wallace.
of Limestone.	Webb.
Thomason.	Wessels.
Thompson	West.
of Red River.	Westbrook.
Thorn.	Williams
Thrasher.	of McLennan.
Veatch.	Williams
Wadley.	of Montgomery.
Walker.	Wright.

Absent.

Brown.	Neinast.
Kacir.	Pool.
Laney.	Shearer.

Absent—Excused.

Burmeister.	Morgan.
Cox.	Mott.
Crumpton.	Pope.
Faubion.	Rosser.
Henderson	Schweppe.
of McLennan.	Thompson
Miller of Dallas.	of Harris.

A quorum was announced present.
Prayer was then offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Mott for today, on motion of Mr. Curtis.

Mr. Crumpton for today and tomorrow, on motion of Mr. Veatch.

Mr. Faubion for today, on motion of Mr. Teer.

Mr. Thompson of Harris for today, on motion of Mr. Beavens.

Mr. Schweppe for today, on motion of Mr. Williams of Montgomery.

Mr. Rosser for today and tomorrow, on motion of Mr. Wright.

Mr. Henderson of McLennan for today and tomorrow, on motion of Mr. Quicksall.

Mr. Burmeister for Monday, Tuesday and Wednesday, on motion of Mr. West.

Mr. Morgan for today, on motion of Mr. West.

Mr. Cox indefinitely, on motion of Mr. Burkett.

Mr. Pope indefinitely, on motion of Mr. West.

Mr. Miller of Dallas for today, on motion of Mr. John Davis of Dallas.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Westbrook and Mr. Cummins:

H. B. No. 100, A bill to be entitled "An Act to amend Article 6901a, Chapter 29, General and Special Laws of Texas, as passed by the Fourth Called Session of the Thirty-fifth Legislature of Texas, being an act fixing compensation of county commissioners and an act to amend Chapter 1, Section 119, Revised Civil Statutes of Texas, 1911, by adding thereto Articles 6901a, 6901b, 6901c, 6901d and 6901e, fixing the compensation of county commissioners in counties having a population of 30,000 and over, and counties under 30,000 population; providing a method of determining the population; providing that if any part of this act be declared void the same shall not affect the remaining portion; validating the acts of any commissioners court in heretofore paying the amount of salary provided by any road law; providing that in any suit brought against the county commissioners to recover from them salaries heretofore paid them under any special act, that no recovery shall be had beyond the excess of the amount of such salary over the reasonable value of their services; and further providing that no suit to recover such salaries from county commissioners shall be brought unless first authorized by the county judge of the county where such commissioners served; and further providing that no suit shall be brought for recovery of such salaries from said county commissioners unless filed prior to January 1, 1919, and declaring an emergency; by adding to said Article 6901a a provision for compensation of county commissioners in counties having 200 miles or more of public roads improved by funds of district or county road bonds, and declaring an emergency."

Referred to Committee on Counties.

By Mr. Horton:

H. B. No. 101, A bill to be entitled "An Act to prevent in the State of Texas the sale or advertisement for sale of property not owned by the seller or for which such seller does not hold power of attorney for sale, and providing penalties for the violation thereof."

Referred to Judiciary Committee.

By Mr. Cummins:

H. B. No. 102, A bill to be entitled "An Act to require persons owning, keeping, maintaining, controlling or managing hotels, inns, public lodging houses, or places where sleeping and eating accommodations or sleeping accommodations only, are furnished to the public to post in a conspicuous place in the office the

plan upon which the hotel is operated and a list of its charges for rooms with or without meals and to post in each room a placard giving the exact rate of that room with and without meals; defining hotels, and providing penalties for violation of the provisions hereof, and providing an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Rosser:

H. B. No. 103, A bill to be entitled "An Act amending Article 5694, Title 87, Chapter 2, relating to limitations of vendor's liens and implied liens in real estate and barring same in four years from maturity."

Referred to Judiciary Committee.

By Mr. Greer:

H. B. No. 104, A bill to be entitled "An Act to amend Sections 1, 2, 3, 4, 5, 6 and 7 of Chapter 7 of the General Laws of the Regular Session of the Thirty-third Legislature, approved February 11, 1913, providing for the suspension of sentence in certain cases of conviction of a felony for first offense, upon recommendation of the jury; for the submission of the issue to the jury by the court; to provide the duration of the suspension of sentence; for pronouncing sentence after suspension thereof in case of final conviction of the defendant of any other felony or of the crime of theft of property of the value of under fifty dollars or of embezzlement of property of the value of fifty dollars; for the cumulation of punishment in such cases; for the granting of a new trial after suspension; the dismissal of the case in certain events after suspension; to repeal all laws and parts of laws in conflict herewith and providing for an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Malone, Mr. Rogers of Harris, Mr. Quaid, Mr. Pool, Mr. O. B. Black of Bexar and Mr. Brady.

H. B. No. 105, A bill to be entitled "An Act to amend Section 1, Chapter 68 of the General Laws of the Regular Session of the Thirty-fifth Legislature of the State of Texas, 1917, entitled 'An Act to amend Article 1143, Chapter 3, Title 15 of the Code of Criminal Procedure, as amended by Chapter 20 of the Acts of the State of Texas, relating to the pay of jail guards and matrons, and declaring an emergency.'"

Referred to Committee on Criminal Jurisprudence.

By Mr. Hall and Mr. Stewart of Reeves:

H. B. No. 106, A bill to be entitled "An Act extending for a period of five years from the date of permit, on certain specified conditions, all permits to prospect for oil and gas heretofore issued on University land and public school land which is unsold at the time this act goes into effect, and river beds or channels, and fresh water lakes, and islands therein, which have not expired, and extending for a like period and on like conditions all permits to prospect for oil and gas heretofore issued on said land and said areas and all permits to prospect for oil and gas heretofore issued after the Mineral Act of 1917 went into effect on islands, salt water lakes, bays, inlets, marshes and reefs owned by the State of Texas within tide water limits and that portion of the Gulf of Mexico within the jurisdiction of Texas, which permits have expired at the time this act goes into effect, but on which the drilling of a well or wells has been begun in good faith or with reference to which permits and the rights of the owner of the same to the possession of the area included therein bona fide litigation has existed during the whole or a part of the term of the permit; providing that said permits are extended on the condition that the owner pay to the State annually in advance, during the life of the permit, ten cents per acre, and all past due payments, and that the owner of the permit shall drill, at the direction of the Commissioner of the General Land Office, such offset well or wells as may be necessary to protect the State's interest in the area included in the permit, and shall resume and diligently continue drilling already begun, and authorizing the Commissioner of the Land Office to forfeit the permit for the failure to make the payments aforesaid or to drill the offset well or wells or to resume or continue drilling; providing that, if oil or gas should be produced in paying quantities the owner of the permit shall apply for and obtain lease upon the area without the payment of any additional sum of money and for a period not to exceed ten years, subject to renewal or renewals, providing for the filing of affidavits with reference to drilling or pendency of litigation, and declaring an emergency."

Referred to Committee on Oil and Gas.

By Mr. Smith:

H. B. No. 107, A bill to be entitled "An Act levying an occupation tax on circus shows, carnival companies, wild

west shows, trained animal shows, amusement companies and other aggregations giving similar exhibitions in this State; specifying the tax to be paid and reports to be made, and the duty of the Comptroller and tax collector; prescribing penalties; repealing Sections 14, 15 and 16 of Article 7355, Revised Civil Statutes of 1911, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Williams of Montgomery:

H. B. No. 108, A bill to be entitled "An Act designating certain period of time that shall not be included in computing limitation against any cause of action asserted by any soldier or sailor who was in the service of the United States during the late war between the United States and Germany, and to repeal all laws in conflict herewith."

Referred to Judiciary Committee.

By Mr. Baker:

H. B. No. 109, A bill to be entitled "An Act to amend Chapter 57 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-first Legislature, 1909, relating to the property used by the Court of Criminal Appeals of the State of Texas, providing for a clerk and deputy clerk and providing for the compensation to be paid for each, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Westbrook:

H. B. No. 110, A bill to be entitled "An Act making it unlawful for any person to drive, operate or run any motor propelled vehicle over or across any steam railroad track in this State without first stopping said vehicle not less than twenty feet nor more than 200 feet from said track; providing a penalty for violation of this act; providing that this act shall not apply within cities of 10,000 inhabitants or more according to the last United States census; providing that this act shall not affect or change the civil liability of any railroad company, or any person, firm, corporation or association of persons by reason of any accident at or near any track mentioned in the act, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Thompson of Red River:

H. B. No. 111, A bill to be entitled "An Act to suspend the payment of all

penalties now imposed by law for the non-payment of taxes for the year 1920 until the 1st day of August, 1921, and that the delinquent rolls shall not be made out before the 1st day of August, 1921, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Edwards:

H. B. No. 112, A bill to be entitled "An Act amending Section 2 of Chapter 141, General Laws of the Regular Session of the Thirty-third Legislature, as amended by Chapter 188, General Laws of the Regular Session of the Thirty-fifth Legislature, as amended by Chapter 86, General Laws of the Regular Session of the Thirty-sixth Legislature, and amending Section 3 of Chapter 141, General Laws of the Regular Session of the Thirty-third Legislature, as amended by Chapter 188 of the General Laws of the Regular Session of the Thirty-fifth Legislature, all of which sections and chapters of the statutes relate to pensions of Confederate soldiers and sailors and their widows, and soldiers who served in organizations for the protection of the frontier against Indian raids and Mexican marauders under special laws of the State of Texas during the war between the States, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Laney:

H. B. No. 113, A bill to be entitled "An Act to amend Sections 1, 2, 3, 4, 7, 9 and 11 of House bill No. 102 passed by the Special Session of the Thirty-sixth Legislature and approved by the Governor July 28, 1919, being an act regulating the sale of and defining agricultural and garden seeds and mixed seeds; requiring their proper labeling; prohibiting mixture of seeds unless so labeled; providing for the collection of samples and their examination; defining noxious weeds and foreign matter; providing that certificate of analysis by the Commissioner of Agriculture shall be prima facie evidence in certain cases and regulating the measures of damages; designating an officer for the enforcement of the law, and fixing penalties for its violation."

Referred to Committee on Agriculture.

By Mr. Laney:

H. B. No. 114, A bill to be entitled "An Act to prevent the watering of corporate stock and to discourage fraudulent practices with respect there-

to, permitting corporations, except banking corporations, already organized or to be hereafter organized, reorganized or consolidated under the laws of this State, to issue stock without par or face value; regulating the matter of such stock and of declaring and paying dividends thereon; providing a method for arriving at the amount of charter fees and franchise taxes to be paid by corporations having such non-par stock, and determining what shall be deemed the capital stock of such corporation; prescribing the manner of converting stock having a face or par value into stock without face or par value; repealing all laws, or parts of laws, in conflict with this act, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Coffee:

H. B. No. 115, A bill to be entitled "An Act to amend Article 7383, Revised Civil Statutes of the State of Texas, 1911, as amended by Acts of the Regular Session of the Thirty-sixth Legislature, Chapter 77, approved March 17, 1919, and found on pages 128, 129 thereof, requiring each and every individual, company, corporation or association, whether incorporated under the laws of this or any other State or Territory or of the United States or any foreign country, which owns, controls, manages or leases any oil well within the State to make quarterly, on the first days of January, April, July and October of each year a report to the Comptroller of Public Accounts, under oath of the individual, or of the president, treasurer or superintendent of such company, corporation or association showing the total amount of oil produced during the quarter next preceding and the average market value thereof during said quarter. And providing that said individuals, companies, corporations and associations at the time of making said report shall pay to the Treasurer of the State of Texas an occupation tax for the quarter beginning on said date equal to three (3%) per cent of the total amount of all oil produced at the average market value thereof as shown by the report, the purpose of this amendment being to require three (3%) per cent occupation tax in lieu of one and one-half per cent ($1\frac{1}{2}$), and that the money obtained from the one and one-half per cent ($1\frac{1}{2}$) additional tax shall go to the available school fund, and declaring an emergency."

Referred to Committee on Oil and Gas.

By Mr. Seagler and Mr. O. B. Black of Bexar:

H. B. No. 116, A bill to be entitled "An Act amending Articles 6581 and 6582, Title 115, Chapter 10, Revised Statutes, 1911, so as to require all persons, firms, corporations or receivers engaged in the construction or repairing of railway cars, trucks or other railway equipment in this State to provide at points where as many as five men are regularly employed by them in such work suitable premises and shelter for the protection of such employes from rain, heat and other inclement weather while engaged in such work; prescribing the character of such premises and shelter; prohibiting the working of such employes by such persons, firms, corporations or receivers in such work outside of such shelter; providing penalties for violation of this act; fixing the time when such shelter shall be provided, and fixing the time when this act shall take effect."

Referred to Committee on Common Carriers.

By Mr. Thomason:

H. B. No. 117, A bill to be entitled "An Act for the purpose of promoting the public school interests of rural schools and those of small towns, of aiding the people to provide adequate school facilities for the education of their children, by the appropriation of two million dollars each year, or so much thereof as may be necessary, for the next two fiscal years, ending August 31, 1922, and August 31, 1923, respectively, by allowing the State Board of Education and the State Superintendent of Public Instruction to aid such schools, in accordance with the conditions herein specified; providing how such schools shall be located and school buildings constructed, furnished and maintained; providing certain prerequisites for the granting of such aid, and providing that no school having over five hundred scholastics shall receive such aid, except in the case of bona fide consolidated schools situated in the country; giving preference to all school districts in which the available school funds, together with the local district tax will not maintain the school six months in the year; providing that such schools receiving such aid shall have a certain percentage of attendance with exceptions; granting authority to the State Board of Education and the State Su-

perintendent of Public Instruction to act for the best interests of the schools in cases and conditions not covered by the law; giving to the State Board of Education and the State Superintendent power to establish rules and regulations for the improvement of country schools receiving the benefits of a portion of the funds provided for in this act; providing for the expenses of administration by action of the State Board of Education; providing for reports to be made to the State Superintendent of Public Instruction and for the manner of payment and disbursement of all money granted under the provisions of this act; repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Referred to Committee on Education.

By Mr. Thomason:

H. B. No. 118, A bill to be entitled "An Act to put into effect the amendment to Section 3 of Article 7 of the Constitution of the State of Texas, in accordance with the will of the people as expressed by vote in the general election held on November 2, 1920."

Referred to Committee on Education.

By Mr. Carpenter:

H. B. No. 119, A bill to be entitled "An Act to amend Article 1837 of the Revised Civil Statutes of the State of Texas, 1911, relating to parties defendant in suits for land against the estates of decedents, by adding thereto a provision that 'legatees' also be made parties defendant."

Referred to Judiciary Committee.

By Mr. Quinn:

H. B. No. 120, A bill to be entitled "An Act providing that persons, firms or corporations who operate or conduct hotels, cafes, restaurants, dining cars or other public eating places, bakeries and meat markets in this State, shall not employ or keep in their employ any person who is infected with or affected by any infectious or contagious disease; and further providing that such persons, firms or corporations or common carriers operating places heretofore named or operating any bakery or meat market, shall have made a medical inspection for all their employes at intervals of time of not more than six months, and if such examination discloses the fact that any person in their employment is infected with or affected by any infectious or contagious disease that such person shall promptly be discharged from such employment; and further providing that

all dishes, receptacles or other utensils used in eating or drinking, or for the conveyance of articles of food, shall be thoroughly cleansed since used by another person, and prohibiting the use of dishes, receptacles or other utensils that are cracked or broken in such a manner as to render their sterilization impossible or doubtful, and providing penalties for a violation of the provisions of this act, and declaring an emergency."

Referred to Committee on Public Health.

By Mr. Thomason and Mr. Smith:

H. B. No. 121, A bill to be entitled "An Act requiring persons handling pistols to secure license, pay occupation tax, keep record of the sale of pistols, prohibiting sale or lease to minors or persons under heat of passion, providing penalty, repealing laws in conflict, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Mott, Mr. Beasley of Hopkins, Mr. Moore, Mr. Perry, Mr. Stewart of Edwards, Mr. McKean, Mr. Chitwood, Mr. Greer, Mr. Webb, Mr. Morris of Medina, Mr. Miller of Parker, Mr. McDaniel, Mr. Carpenter, Mr. Crawford, Mr. Kellis, Mr. Stewart of Reeves, Mr. Thompson of Red River and Mr. McLeod:

H. B. No. 122, A bill to be entitled "An Act to repeal Chapter 160 of the Acts of the Regular Session of the Thirty-sixth Legislature, approved April 3, 1919, regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including the fixing of a minimum wage; providing for an appropriation therefor, and fixing penalties for violating this act, etc., and declaring an emergency."

Referred to Committee on Labor.

By Mr. Johnson of Wichita:

H. B. No. 123, A bill to be entitled "An Act to amend Article 1460, Chapter 2, Title 29, of the Revised Civil Statutes of 1911, and amended by the Thirty-fourth Legislature, page 203, and amended by the Thirty-fifth Legislature, page 337, also to amend Article 1464 and Article 1465, Revised Civil Statutes of 1911, providing for the appointment and compensation of county auditors in counties having a population of forty thousand inhabitants, according to the last United States census, or having a tax

valuation of fifteen million dollars, according to the last approved tax rolls, and also providing for appointment of assistants and clerical help and declaring an emergency."

Referred to Committee on Counties.

By Mr. Baldwin:

H. B. No. 124, A bill to be entitled "An Act amending Chapter 57, Section 2, Local and Special Laws of the State of Texas, passed at the Third Called Session of the Thirty-sixth Legislature, approved June 17, 1920, creating the Blythe County Line Independent School District in Gaines, Terry and Yoakum counties, by redefining and correcting the boundaries of said Blythe County Line Independent School District, and declaring an emergency."

Referred to Committee on Education.

By Mr. Baldwin:

H. B. No. 125, A bill to be entitled "An Act repealing Article 4610, Chapter 1, Title 68, Revised Civil Statutes of the State of Texas, 1911, and substituting in lieu thereof Articles 4610a, 4610b, 4610c and 4610d, providing for issuance by clerks of the county court licenses to marry; requiring such clerk, before issuing license, to demand and receive from each of the contracting parties to the marriage, a certificate made under oath by a reputable, licensed and regularly practicing physician of this State, setting forth that the person named in such certificate is not afflicted with any contagious or communicable disease; and prescribing the requisites of such certificate; prohibiting issuance of license to marry when it is shown by such certificate that the examination by the physician of such person was made more than ten days prior to application for license; providing that the clerk of the county court shall in all cases require satisfactory proof that the persons applying for license to marry are the same and identical persons named in such certificates; requiring clerks of the county courts to record all such certificates; and fixing charges therefor; prescribing penalties for the violation of this act, and declaring an emergency."

Referred to Committee on Public Health.

By Mr. Bonham:

H. B. No. 126, A bill to be entitled "An Act to provide for the acquisition of the oil and gas that may be in the unsurveyed land belonging to the public free school fund, and appropriating the

proceeds to the permanent public free school fund, and repealing so much of Chapter 19 of an Act approved July 23, 1919, relating to the disposition of the oil and gas in areas within tide water limits and unsurveyed school land, as may be in conflict with the provisions of this act, and declaring an emergency."

Referred to Committee on Oil, Gas and Mines.

HOUSE JOINT RESOLUTION ON FIRST READING.

The following House joint resolution, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Marshall and Mr. Rosser:

H. J. R. No. 11, Proposing an amendment to Section 51 of Article 3 of the Constitution of the State of Texas to provide that the Legislature may grant pensions to Confederate soldiers, sailors and their widows, who have been citizens of Texas prior to January 1, 1910, providing that all soldiers, sailors and their widows eligible under the provisions hereof shall be entitled to be placed upon the rolls and participate in the pension fund created hereunder; levying a tax of seven (7c) cents on the \$100 valuation of property in this State for the payment of such pension, providing that the Legislature may reduce the rate of pension for such purpose; fixing a time for the election to be held on such amendment, and making an appropriation to pay the expenses thereof.

Referred to Committee on Constitutional Amendments.

OATH OF OFFICE ADMINISTERED.

The Speaker appointed Mr. Beavens, Mr. Sneed and Mr. Barker as a committee to escort Hon. Otto F. Menking, Representative-elect from Austin county, to the Speaker's stand.

The committee having performed their duty, the constitutional oath of office was administered to Mr. Menking by the Speaker.

TO PAY CERTAIN EXPENSES OF INAUGURATION.

Mr. O. B. Black of Bexar offered the following resolution:

Be it resolved by the House of Representatives, That one thousand dollars (\$1000), or so much thereof as may be

necessary, be appropriated out of the contingent expense fund to meet and defray the expenses of preparing for the inauguration, constructing platform, purchase or rental of carpets for use on said platform and for other necessary expenses incurred by your House committee on inauguration.

The resolution was read second time, and was adopted.

ADDRESS BY HON. JOHN M. RAIDEN.

Mr. John E. Davis of Dallas offered the following resolution:

Whereas, Hon. John M. Raiden, a prominent citizen of Fannin county, and a former distinguished member of the House of Representatives, is now in the city; therefore, be it

Resolved, That he be granted the privileges of the floor and invited to address this body.

The resolution was read second time, and was adopted.

In accordance with the above action the Speaker appointed Mr. Veatch, Mr. Williams of McLennan and Mr. John E. Davis of Dallas as a committee to escort Mr. Raiden to the Speaker's stand.

The committee having performed their duty, the Speaker presented Mr. Veatch, who introduced Mr. Raiden to the House.

Mr. Raiden then addressed the House.

COUNTING THE VOTES CAST FOR GOVERNOR AND LIEUTENANT GOVERNOR.

(In Joint Session.)

At the hour of 10:30 o'clock a. m., fixed by concurrent action of the two houses for the Senate and House of Representatives to meet in joint session for the purpose of counting the votes for Governor and Lieutenant Governor cast at the general election held on Tuesday, the 2nd day of November, A. D. 1920, the Honorable Senate were announced at the bar of the House, and by direction of the Speaker, were admitted.

Escorted by the Sergeant-at-Arms of the Senate, E. P. Ross; the Secretary of the Senate, W. V. Howerton, and the Journal Clerk of the Senate, R. M. Gilmore, the Senators advanced into the Hall, and by direction of the Speaker of the House, occupied seats already prepared for them along the aisle.

Lieutenant Governor W. A. Johnson, by invitation of the Speaker, occupied a seat on the Speaker's stand to the left of the Speaker.

Lieutenant Governor Johnson then directed the Secretary of the Senate to call the roll of the Senate.

The roll of the Senate was called, and the following Senators answered to their names:

Bledsoe.	Lewis.
Buchanan.	McMillin.
Clark.	McNealus.
Cousins.	Murphy.
Davidson.	Parr.
Dudley.	Rogers.
Fairchild.	Suiter.
Floyd.	Watts.
Hall.	Williams.
Harp.	Wood of Williamson.
Hertzberg.	Woods of Navarro.

Absent.

Baugh.	Page.
Carlock.	Richards.
Darwin.	Russell.
Dorough.	Witt.

Absent—Excused.

Bailey.

The President of the Senate announced a quorum of the Senate present.

The Speaker then directed the Clerk to call the roll of the House.

The roll of the House was called, and the following members answered to their names:

Adams.	Davis, John,
Aiken.	of Dallas.
Baker.	Dinkle.
Baldwin.	Duffey.
Barker.	Duncan.
Barrett of Bell.	Estes.
Barrett of Fannin.	Fly.
Bass.	Fugler.
Beasley	Garrett.
of Hopkins.	Greer.
Beasley	Grissom.
of McCulloch.	Hall.
Beavens.	Hanna.
Binkley.	Hardin.
Bonham.	Harrington.
Black, O. B.,	Henderson
of Bexar.	of Marion.
Black, W. A.,	Hendricks.
of Bexar.	Hill.
Branch.	Horton.
Bryant.	Johnson of Ellis.
Burkett.	Johnson
Burns.	of Wichita.
Carpenter.	Jones.
Childers.	Kellis.
Chitwood.	King.
Coffee.	Kveton.
Crawford.	Lackey.
Cummins.	Laird.
Curtis.	Laney.
Darroch.	Lauderdale.
Davis, John E.,	Lawrence.
of Dallas.	Leslie.
	Lindsey.

Looney.	Satterwhite.
McCord.	Seagler.
McDaniel.	Smith.
McFarlane.	Sneed.
McKean.	Stevenson.
McLeod.	Stewart
Malone.	of Edwards.
Martin.	Stewart of Reeves.
Marshall.	Swann.
Mathes.	Sweet of Brown.
Melson.	Sweet of Tarrant.
Merriman.	Teer.
Miller of Parker.	Thomas
Moore.	of Limestone.
Morris of Medina.	Thomason.
Morris	Thompson
of Montague.	of Red River.
Neblett.	Thorn.
Owen.	Thrasher.
Patman.	Veatch.
Perkins	Wadley.
of Cherokee.	Walker.
Perkins of Lamar.	Wallace.
Perry.	Webb.
Pollard.	Wessels.
Quaid.	West.
Quicksall.	Westbrook.
Quinn.	Williams
Rice.	of McLennan.
Rogers of Harris.	Williams
Rogers of Shelby.	of Montgomery.
Rountree.	Wright.
Rowland.	

Absent.

Brady.	Pool.
Brown.	Shearer.
Edwards.	Sims.
Kacir.	Stephens.
Neinast.	

Absent—Excused.

Burmeister.	Morgan.
Cox.	Mott.
Crumpton.	Pope.
Faubion.	Rosser.
Henderson	Schweppe.
of McLennan.	Thompson
Miller of Dallas.	of Harris.

The Speaker announced a quorum of the House present.

The President of the Senate and the Speaker of the House then stated that the two houses were in joint session for the purpose of counting the votes for Governor and Lieutenant Governor, cast at the last general election.

The President of the Senate announced the appointment of the following tellers on the part of the Senate: Senators Woods, Witt, Buchanan, Wood and Darwin.

The Speaker of the House announced the appointment of the following tellers on the part of the House:

Messrs. O. B. Black of Bexar, Jones, Neblett, Rountree, Thrasher, Smith and Miller of Dallas.

The Speaker announced the appointment of Mr. Barrett of Fannin to act for Mr. Miller of Dallas, who is absent.

Lieutenant Governor Johnson appointed Senators Cousins and Rogers to act, respectively, for Senators Darwin and Witt, who were absent.

The joint tellers were announced present, and they at once came forward and occupied the seats at a table already prepared for them.

The Speaker then requested the joint tellers to come forward to receive the returns of the last general election for Governor and Lieutenant Governor, which returns had been duly delivered

by the Secretary of State to the Speaker of the House of Representatives of the Thirty-seventh Legislature.

The joint tellers then proceeded to the work of counting the votes cast for Governor and Lieutenant Governor at the last general election.

When the count was completed, the President Pro Tempore of the Senate and the Speaker of the House announced to the joint session that the joint tellers had completed the count of the votes and that the joint session is now ready to receive the results and to have the report of the joint tellers.

Senator Woods, on the part of the Senate, and Mr. O. B. Black of Bexar, on the part of the House, submitted the following report:

RETURNS OF A GENERAL ELECTION HELD NOVEMBER 2, 1920.
For Governor and Lieutenant Governor.

Counties.	Governor.					Lieutenant-Governor.				
	Neff.	Culbertson.	Capers.	McGregor.	Rhodes.	Davidson.	Smith.	Starn.	Green.	Wilson.
Anderson.....	2,527	220	868	616	68	2,159	218	870	377	69
Andrews.....	74	9				74	9			
Angelina.....	1,697	126	127	666	87	1,783	129	128	602	88
Aransas.....	158	36		2		158	34		1	
Archer.....	457	110		61	9	477	104		51	9
Armstrong.....	414	68	1		2	419	67	1		2
Atascosa.....	570	169	7	55	12	525	144	7	39	12
Austin.....	495	325	78	1,989	8	610	305	81	1,911	8
Bailey.....	129	33		2		129	35		2	
Bandera.....	337	185		82	13	337	197		61	11
Bascom.....	1,077	321	180	542	5	1,118	397	184	498	5
Baylor.....	626	99		98	23	676	95		85	27
Bee.....	567	225		208	10	600	210		127	10
Bell.....	3,568	301	175	2,121	66	3,755	275	175	1,758	68
Bexar.....	7,057	6,976	593	2,323	107	8,102	7,008	555	1,210	122
Blanco.....	422	205	12	455	3	438	264	17	341	5
Borden.....	93			11	1	93		11	11	1
Bosque.....	1,549	392	26	570	25	1,660	375	26	462	26
Bowie.....	2,507	855	244	41	126	2,560	835	239	37	126
Brazoria.....	1,249	1,120	24	150	46	1,120	1,114	31	141	
Brazos.....	1,293	233	490	127	5	1,338	225	495	115	4
Brewster.....	221	94		16	1	243	83		12	3
Briscoe.....	255	28		27	7	260	46		25	7
Brooks.....	136	26				143	25			
Brown.....	1,563	258	16	526	23	1,720	262	16	392	23
Burleson.....	986	114	439	429	2	997	119	440	420	2
Burnet.....	801	138	2	324	4	856	142		268	4
Caldwell.....	1,235	152	165	467	4	1,293	151	166	416	4
Calhoun.....	365	55	35	52	27	380	56	36	52	28
Callahan.....	737	103	1	310	27	847	105		211	30
Cameron.....	1,134	752	1	4	12	1,156	751	1	4	12
Camp.....	673	107	440	97	4	693	125	442	63	4
Carson.....	477	194		24	7	488	185		21	7
Cass.....	1,619	1,340	187	199	53	1,663	1,335	185	171	53
Castro.....	175	98		4	3	182	58		3	3
Chambers.....										
Cherokee.....	2,227	339	267	629	72	2,309	353	264	569	75
Childress.....	1,198	102	1	68	38	1,229	93	2	37	40
Clay.....	1,300	379	2	87	13	1,382	353	4	63	14
Cochran.....										
Coke.....	446	39	1	59	19	456	37	1	51	16
Coleman.....	1,429	226	5	451	66	1,533	227	4	376	63
Collin.....	3,911	1,209	28	409	82	4,095	1,177	29	313	85
Collingsworth.....	654	287	1	12	48	694	258	1	7	49
Colorado.....	786	291	325	980	64	811	300	333	956	61
Comal.....	145	415	3	1,221	14	196	494	4	1,058	17
Gomanche.....	1,586	811	4	330	82	1,800	703	4	261	83
Concho.....	452	91	1	145	12	442	90	1	124	13
Cooke.....	2,052	1,042	89	99	61	2,201	947	89	82	61
Coryell.....	1,502	189	4	1,009	12	1,622	220	7	822	14
Cottle.....	512	118	3	43	36	532	104	1	28	38
Crane.....										
Crockett.....	135	35		1	1	134	37		1	1
Crosby.....	615	94	4	48	28	633	95	2	33	28
Culbertson.....	120	14				125	11		2	1
Dallam.....	498	163		45	37	510	157		36	39
Dallas.....	14,193	4,601	1,677	473	116	14,696	4,363	1,605	323	113
Dawson.....	317	41		34	16	308	40		28	16
Deaf Smith.....	517	151		2		524	151			
Delta.....	1,078	288	51	56	21	1,119	269	50	39	23
Denton.....	2,523	873	97	495	57	2,759	848	96	361	57
DeWitt.....	1,033	731	384	1,153	12	1,118	755	387	1,054	13
Dickens.....	456	66	3	17	27	472	59		13	26
Dimmit.....	238	93		7	2	241	92		2	2
Donley.....	800	163		6	24	823	148		3	31
Duval.....	389	80		3	3	390	80		3	3
Eastland.....	2,982	797		183	66	3,103	796		113	66
Ector.....	96	22		3		105	19		2	
Edwards.....	298	257		31	15	307	267		21	15
Ellis.....	3,967	660	321	796	15	4,131	655	334	713	16
El Paso.....	4,036	4,078	14	30	27	4,752	3,508	10	11	27
Erath.....	1,874	244	19	410	64	1,996	242	12	438	73
Falls.....	1,877	383	639	723	39	1,927	417	740	661	40

RETURNS OF A GENERAL ELECTION HELD NOVEMBER 2, 1920.
For Governor and Lieutenant Governor.

Counties.	Governor.					Lieutenant-Governor.				
	Neff.	Culbertson.	Capers.	McGregor.	Rhodes.	Davidson.	Smith.	Starn.	Green.	Wilson.
Fannin.....	3,412	1,049	307	224	102	3,412	1,049	307	224	102
Fayette.....	775	469	338	2,895	8	988	467	344	2,709	9
Fisher.....	766	97	4	61	63	781	102	1	51	66
Floyd.....	985	121	1	25	35	993	116	.....	17	37
Foard.....	498	99	.....	7	33	499	99	.....	3	32
Fort Bend.....	752	533	387	599	20	834	520	385	596	20
Franklin.....	579	155	23	149	10	629	153	22	84	11
Freestone.....	1,405	352	629	341	24	1,485	350	632	259	25
Frio.....	447	69	1	7	4	452	71	2	4	3
Gaines.....	131	7	.....	1	.....	137	7	.....	.....	.....
Galveston.....	2,463	867	75	1,699	30	2,982	936	77	1,166	43
Garza.....	398	50	.....	61	7	413	44	.....	53	7
Gillespie.....	146	671	.....	1,270	7	157	927	.....	953	10
Glasscock.....	101	21	.....	8	6	105	21	.....	2	6
Goliad.....	463	431	66	197	17	466	462	66	158	19
Gonzales.....	1,333	578	171	363	12	1,392	12	172	312	11
Gray.....	557	197	.....	15	22	580	187	.....	11	22
Grayson.....	5,080	2,054	357	228	115	5,432	1,956	358	139	118
Gregg.....	1,058	230	177	41	5	1,071	228	175	35	7
Grimes.....	1,037	158	4	224	3	1,053	41	4	209	4
Guadalupe.....	573	1,350	95	1,425	7	651	1,639	98	1,045	8
Hale.....	1,289	291	.....	40	17	1,350	267	.....	25	21
Hall.....	949	144	1	59	43	973	137	1	52	43
Hamilton.....	1,035	301	2	287	14	1,121	303	2	233	14
Hansford.....	130	45	.....	.....	6	132	44	.....	.....	6
Hardeman.....	955	174	.....	115	26	1,001	164	.....	95	26
Hardin.....	1,010	129	63	166	21	1,047	163	54	145	20
Harris.....	14,255	6,391	5,205	2,404	259	15,429	6,001	5,213	1,703	241
Harrison.....	1,962	253	411	75	8	2,052	251	411	67	8
Hartley.....	163	58	.....	3	6	171	52	.....	3	6
Haskell.....	1,116	198	1	166	115	1,169	191	.....	142	125
Hays.....	1,097	86	17	475	.....	1,149	94	22	424	.....
Hemphill.....	458	214	.....	.....	12	453	202	.....	.....	17
Henderson.....	1,692	448	120	465	140	1,749	448	131	491	138
Hidalgo.....	2,429	927	.....	14	31	2,434	829	1	9	26
Hill.....	3,121	558	24	1,352	29	3,059	534	69	953	19
Hockley.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Hood.....	695	127	24	180	13	726	124	26	149	12
Hopkins.....	2,161	789	90	116	107	2,645	766	94	109	108
Houston.....	1,497	315	439	652	58	1,497	315	439	652	58
Howard.....	672	88	.....	80	42	706	84	.....	54	46
Hudspeth.....	92	41	.....	1	.....	110	25	.....	.....	1
Hunt.....	4,316	802	195	305	71	4,453	786	202	264	71
Hutchinson.....	123	71	.....	12	.....	131	73	.....	2	.....
Irion.....	158	26	.....	22	6	163	22	.....	21	6
Jack.....	810	225	.....	26	48	820	231	15	16	49
Jackson.....	581	323	5	132	17	581	326	5	128	16
Jasper.....	816	58	26	286	11	822	59	28	264	13
Jeff Davis.....	98	31	.....	4	.....	110	22	.....	.....	.....
Jefferson.....	4,460	1,129	768	434	105	4,585	741	726	320	111
Jim Hogg.....	76	8	.....	.....	.....	85	8	.....	.....	.....
Jim Wells.....	308	79	.....	105	11	319	81	.....	99	11
Johnson.....	2,932	498	44	679	41	3,090	591	44	478	47
Jones.....	1,765	204	1	221	62	1,853	213	2	168	56
Karnes.....	648	285	48	578	1	713	319	14	524	2
Kaufman.....	2,787	425	537	359	27	2,872	308	780	272	27
Kendall.....	141	631	2	380	2	163	726	2	253	4
Kent.....	231	45	1	2	20	234	45	1	2	22
Kerr.....	637	315	.....	147	20	661	314	.....	125	20
Kimble.....	355	88	.....	38	13	361	87	.....	33	13
King.....	42	.....	.....	2	2	48	.....	.....	2	2
Kinney.....	108	133	.....	18	1	111	133	.....	13	1
Kleberg.....	446	154	10	43	13	473	154	10	35	13
Knox.....	773	113	.....	115	22	798	109	.....	96	22
Lamar.....	3,699	579	457	105	59	3,823	570	457	102	59
Lamb.....	298	77	.....	44	5	206	76	.....	37	4
Lampasas.....	803	138	2	406	9	847	134	2	272	10
La Salle.....	254	35	.....	11	.....	253	35	.....	10	.....
Lavaca.....	1,152	410	130	2,366	27	1,344	397	133	2,183	28
Lee.....	734	82	316	1,093	25	826	323	997	997	25
Leon.....	1,116	154	66	796	26	1,171	165	65	726	24
Liberty.....	808	368	5	178	47	625	360	5	159	37
Limestone.....	2,146	306	400	481	38	2,328	301	400	380	41

RETURNS OF A GENERAL ELECTION HELD NOVEMBER 2, 1920.
For Governor and Lieutenant Governor.

Counties.	Governor.					Lieutenant-Governor.				
	Neff.	Culbertson.	Capers.	McGregor.	Rhodes.	Davidson.	Smith.	Starn.	Green.	Wilson.
Lipscomb.....	365	409			44	361	414			45
Live Oak.....	239	63		97	38	275	55		63	39
Llano.....	671	59	3	419	4	669	91	3	312	8
Loving.....										
Lubbock.....	1,207	255	5	55	25	1,219	153	5	45	25
Lynn.....	554	44		61	21	566	42		58	22
Madison.....	657	49	126	311	4	664	51	122	303	4
Marion.....	452	361	309	6		457	386	259	4	
Martin.....	138	32		7		145	27		5	
Mason.....	349	173	1	166	10	359	207		117	10
Matagorda.....	1,041	826	68	180	38	1,073	848	61	119	45
Maverick.....	186	284	1	8	3	201	284	1	1	4
McCulloch.....	789	143	2	110	24	827	128	2	80	22
McLennan.....	5,029	1,193	178		59	5,174	1,182	182	1,184	32
McMullen.....	81	24		1		86	21		1	
Medina.....	525	608	3	561	7	538	641	3	507	7
Menard.....	208	177		9	21	243	145		4	22
Midland.....	280	53		6		293	48		4	
Milam.....	2,601	148	422	1,672	86	2,691	149	411	1,608	86
Mills.....	664	128		402	18	711	130		349	17
Mitchell.....	682	86		51	27	698	85		48	27
Montague.....	1,694	458		73	143	1,767	432		58	142
Montgomery.....	1,545									
Moore.....	93	3		1		97	10		1	
Morris.....	644	182	71	24		695	151	66	13	
Motley.....	360	25		3	7	363	28		1	6
Nacogdoches.....	1,883	193	257	368	69	1,865	189	352	388	68
Navarro.....	3,214	560	231	1,080	22	3,398	563	224	913	25
Newton.....	429	47	32	166	9	433	40	33	161	10
Nolan.....										
Nueces.....	1,254	330	51	111	30	1,289	325	53	88	32
Ochiltree.....	297	129				300	93			1
Oldham.....	152	37				155	34			
Orange.....	1,012	98	59	301	5	1,093	97	54	233	10
Palo Pinto.....	1,651	253	12	150	74	1,720	224	12	132	77
Panola.....	1,084	249	97	205	22	1,106	230	97	193	22
Parker.....	1,789	453	7	26	92	1,841	432	6	19	96
Parmer.....	229	99		4	11	227	99		3	10
Pecos.....	410	339	1	52	2	425	335		38	2
Polk.....	806	230	57	164	23	829	229	59	144	23
Potter.....	1,549	293	1	43	26	1,508	274			
Presidio.....	248	108		1		248	83			
Rains.....	472	158	26	40	121	476	163	26	14	91
Randall.....	373	115		31	2	410	103		14	2
Real.....	216	143	1	12	13	218	142	1	11	13
Reagan.....	52	6		2		53	7			
Red River.....	2,333	722	386	55	45	2,383	702	381	49	46
Reeves.....	452	86		2	2	478	73			
Refugio.....	236	325	1	77	15	247	334	1	58	16
Roberts.....	182	51		5	1	184	51		5	1
Robertson.....	1,394	159	133	595		1,499	164	135	538	
Rockwall.....	865	97	3	12	3	878	96	3	14	3
Runnels.....	1,212	217	4	418	31	1,260	224	3	366	34
Rusk.....	1,531	651	278	337	37	1,636	647	278	266	37
Sabine.....	613	84	28	430	6	654	90	27	395	8
San Augustine.....	630	82	7	691	8	682	82	7	636	7
San Jacinto.....	326	60	173	217	5	329	62	172	211	5
San Patricio.....	651	263	4	32	12	632	250	1	19	14
San Saba.....	842	65	2	545	16	918	70	4	437	16
Schleicher.....	207	55		23		228	51		12	
Scurry.....	815	126		35	19	827	105		34	20
Shackelford.....	330	99	2	50	34	370	87	1	38	24
Shelby.....	1,706	108	175	262	92	1,744	109	174	224	114
Sherman.....	195	50		1	3	199	51			3
Smith.....	2,939	574	563	444	79	3,016	566	557	408	423
Somervell.....	180	47	12	122	14	223	48		72	20
Starr.....	444	66				445	66			
Stephens.....	611	117		47	25	627	114		38	26
Sterling.....	155	8		25		165	6		19	
Stonewall.....	362	73		91	18	394	82	1	56	18
Sutton.....	213	14		22		214	70		19	
Swisher.....	495	108	1	6	7	506	106	1	3	4
Tarrant.....	12,924	3,192	800	414	142	12,759	2,945	799	277	138

RETURNS OF A GENERAL ELECTION HELD NOVEMBER 2, 1920.
For Governor and Lieutenant Governor.

Counties.	Governor.					Lieutenant-Governor.				
	Neff.	Culbertson.	Capers.	McGregor.	Rhodes.	Davidson.	Smith.	Starn.	Green.	Wilson.
Taylor.....	1,887	230	9	198	49	1,994	208	9	162	54
Terrell.....	159	16	1	25	5	166	76	1	18	5
Terry.....	281	27		35	4	287	25		33	4
Throckmorton.....	403	38		17	16	404	38		15	16
Titus.....	1,242					1,274				
Tom Green.....	1,210	181	17	133	20	1,290	173	16	105	22
Travis.....	3,506	717	366	1,278	48	3,766	724	372	1,021	44
Trinity.....	644	93	50	293	29	671	91	44	277	28
Tyler.....	1,057	108	67	178	15	1,121	107	67	129	14
Upshur.....	1,163	465	96	532	29	1,316	476	98	340	30
Upton.....	46	24				47	24			
Uvalde.....	763	188		43	13	766	186		38	12
Val Verde.....	469	239	1	14	1	491	226		9	1
Van Zandt.....	2,034	583	14	254	264	2,000	511	14	209	263
Victoria.....	623	579	59	573	14	736	579	59	469	15
Walker.....	771	344	125	446	5	806	332	123	416	6
Waller.....	689	117	207	237	4	716	121	217	202	4
Ward.....	198	60		1	6	212	43		1	4
Washington.....	915	402	145	1,413	6	817	390	147	1,377	6
Webb.....	691	381		21		727	390		17	
Wharton.....										
Wheeler.....	535	178	1	2	32	530	132	1	1	32
Wichita.....	3,662	1,540	20	57	77	3,897	1,405	20	46	79
Wilbarger.....	1,056	359	2	60	50	1,136	318	24	45	52
Willacy.....	48	9		3		59	2		1	
Williamson.....	2,655	448	77	1,767	19	2,748	579	76	1,669	21
Wilson.....	806	544	5	410	8	881	552	10	290	8
Winkler.....	10	1		7		17	1		1	
Wise.....	2,022	504		100	46	2,089	497		75	44
Wood.....	1,636	512	136	766	87	1,729	501	133	688	87
Yoakum.....	89	3				95	13			
Young.....	1,220	192	1	24	36	1,256	188	1	23	36
Zapata.....	99	49				99	49			
Zavala.....	284	59		22	15	303	59		15	14
Scattering—59										
Total.....	289,188	90,217	26,091	69,380	6,796	302,590	87,916	26,404	58,830	7,144

Austin, Texas, January 17, 1921.
Hon. W. A. Johnson, President of the Senate, and Hon. Chas. G. Thomas, Speaker of the House of Representatives.

Sirs: We, your joint committee and tellers, appointed to canvass the votes cast at the last general election held in the State of Texas on November 2, 1920, for Governor and Lieutenant Governor of the State of Texas, beg leave to report that we have performed that duty, and the result of our canvass is as follows:

There were cast for Governor—

Pat M. Neff.....	289,188 votes
John G. Culbertson.....	90,217 votes
H. Capers	26,091 votes
T. H. McGregor.....	69,380 votes
L. L. Rhodes.....	6,796 votes
Scattering	59 votes

Total number of votes
cast for Governor.....481,731 votes

There were cast for Lieutenant Governor—

Lynch Davidson	302,590 votes
Howard W. Smith.....	87,916 votes
S. E. Starn.....	26,404 votes
J. W. Green.....	58,830 votes
W. H. Wilson.....	7,144 votes
Scattering	4 votes

Total number of votes
cast for Lieutenant
Governor

No returns were presented to your committee from the following named counties: Chambers, Cochran, Crane, Hockley, Loving, Nolan.

In the returns from McLennan county the vote cast for Hon. T. H. McGregor was not given.

In the returns from Montgomery county, the total vote cast was reported to be 1,545, but the separate vote cast for each respective candidate was not shown.

All of which is respectfully submitted.

BLACK, O. B., of Bexar,
BARRETT of Fannin,
THRASHER,
NEBLETT,
ROUNTREE,
JONES,
SMITH,

On the part of the House.

WOODS,
WITT,
DARWIN,
WOOD,
BUCHANAN,

On the part of the Senate.

Whereupon, Hon. Chas. G. Thomas, Speaker of the House of Representatives, and Hon. Paul D. Page, President Pro Tempore of the Senate, each made the following announcement:

"Hon. Pat M. Neff, having received the highest number of votes cast, I, by virtue of the authority vested in me by the Constitution and laws of the State of Texas, declare him duly, legally and constitutionally elected Governor of the State for the ensuing term of two years; and Hon. Lynch Davidson, having received the highest number of votes cast, I, by virtue of the authority vested in me by the Constitution and laws of the State of Texas, declare him duly, legally and constitutionally elected Lieutenant Governor of the State of Texas for the ensuing term of two years."

The Speaker of the House then announced that the business of the joint session was concluded, and delivered the election returns used in counting the vote into the hands of Chief Clerk Noel K. Brown, taking his receipt therefor and directing him to deliver the same in person to the Secretary of State, and to take the receipt of the Secretary of State for the documents.

Department of State, State of Texas.

Austin, Texas, January 17, 1921.

Received of N. K. Brown, Chief Clerk of the House of Representatives, the official returns showing the votes cast for Governor and Lieutenant Governor of this State at the general election held November 2, 1920, together with the report of the joint committee of the House and Senate appointed to count the votes cast for Governor and Lieutenant Governor.

C. D. MIMS,
Secretary of State.

SENATE RETIRES.

On motion of Senator Dudley, the Senate, at 5 o'clock p. m., retired to its Chamber.

RELATING TO COTTON INDUSTRY IN TEXAS.

Mr. Stevenson offered the following resolution:

H. C. R. No. 6, Relating to the cotton industry in Texas; be it

Resolved by the House of Representatives of the State of Texas the Senate concurring:

Whereas, There are measures pending before the Legislature intended to

create a better marketing and warehousing system for cotton; and

Whereas, The proper consideration of these measures and the carrying into effect of any or all of them in case of enactment will not be possible within a period to aid in the marketing of the large per cent of the last year's crop still in the hands of producers; and

Whereas, It seems desirable to give assurance to the farmers of Texas that the Legislature will look with favor on any practical plan promising relief to the cotton industry, and at the same time to advise them that the apparent remedy for the present deplorable condition is a reduction in cotton acreage to the end that the now excessive carry-over may be eliminated; therefore, be it

Resolved, That the Legislature convey to the farmers of Texas the assurance of its intention to assist in the betterment of cotton marketing conditions and also urges at this period when the preparation of the soil is under way that there be such a substantial reduction in acreage planted that production, together with cotton on hand will not more than meet the requirements of spinners.

The resolution was read second time, and was adopted.

EMPLOYES OF THE HOUSE.

The Speaker announced the appointment of the following employes of the House:

Stenographers—Mrs. Pearl Hart, Miss Pearl Booker, Miss Ella Basist, Mrs. E. J. Adams, Miss Pauline Hagler, Mrs. Jennie Granberry, Miss Ruth Stevenson, Miss Anita Heberer, Miss Emma Bredt, Mrs. Lucile Shaw, Miss Frances Payne, Miss Lena Hicks, Miss Frances Pruett and Miss Annie Lee Crider.

COMMITTEE TO INVESTIGATE CHARGES AGAINST H. J. NEINAST.

The Speaker announced the appointment of the following committee to in-

vestigate charges preferred against H. J. Neinast:

Messrs. Fly, Baldwin, Burkett, Wessels, Martin, Beasley of Hopkins and Cummins.

PROVIDING FOR ADDITIONAL HOUSE JOURNALS.

Mr. Miller of Parker offered the following resolution:

Whereas, The present number, six hundred (600), of House Journals is insufficient to furnish each member with a supply equal to the demand of his constituents; therefore, be it

Resolved by the House of Representatives. That four hundred (400) additional copies of each day be placed in the office of the Sergeant-at-Arms for the use of the members.

Signed—Miller of Parker, Wright, McDaniel.

The resolution was read second time, and was adopted.

MESSAGES FROM THE GOVERNOR.

Miss Annie Houghton, assistant secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Governor's Office,
Austin, Texas, January 17, 1921.

To the Thirty-seventh Legislature in Regular Session.

Gentlemen: I am transmitting herewith for the information of your membership statement from the Prison Commission with respect to the operation of the State Railroad.

Respectfully submitted,
W. P. HOBBY,
Governor.

January 17, 1921.

To Governor W. P. Hobby and to the Thirty-seventh Legislature in Regular Session.

Gentlemen: We hand you herewith a statement from the Auditor of the Texas State Railroad, showing total operating revenues and expenditures of said road from September 1, 1917, to December 31, 1920, inclusive. This statement shows that the operating cost of said road has exceeded its operating revenues during said period of time by the aggregate sum of \$159,378.66. This is a very large deficit for so short a period of time and the deficit during 1920 is almost as large as during 1919. After receiving and considering the report of said Auditor, we are convinced that the road cannot be operated except at a loss to the State.

We invite your careful consideration of this report, and await your instructions as to whether or not we shall continue to operate said road under the circumstances.

Respectfully submitted,

BOARD OF PRISON COMMISSIONERS.

TEXAS STATE RAILROAD—STATEMENT OF SPECIAL APPROPRIATIONS
MADE AND EXPENDITURES THEREFROM, SEPTEMBER, 1917,
TO DECEMBER, 1920, INCLUSIVE.

From State Treasury—	Amount.	Expended.	Balance.
September 30, 1917.....	\$ 35,683.00	\$ 30,911.09	‡\$ 4,771.91
September 1, 1918.....	\$ 7,500.00		
March 1, 1919.....	33,275.49—	40,775.49	‡ 627.65
October 31, 1919.....	16,183.00	15,751.17	‡ 431.83
June 1, 1920.....	7,250.00	7,249.10	‡ .90
September 19, 1920.....	70,000.00	* 56,639.70	*** 13,360.30
From Prison Funds—			
October 1, 1920.....	\$ 50,000.00	**\$ 28,221.81	‡\$ 21,778.19
Grand total	\$219,891.49	\$178,920.71	\$ 40,970.78

Explanation of Reference Marks.

*Includes payments made and approved vouchers outstanding.

**Includes payments made by Prison Commission and vouchers approved to Commission for payment.

***Balance available for payment of indebtedness incurred prior to June 1, 1920. Unpaid items, now in process of adjustment, will offset.

‡Balance available for payment of indebtedness incurred subsequent to May 31, 1920.

‡Balances reverted back to State Treasury.

Analysis of Current Appropriation Account—(As of December 31, 1920).

Appropriated from Prison funds.....	\$ 50,000.00	
Expended and approved vouchers.....		\$ 28,221.81
Bills payable not vouchered.....		2,500.00
Balance available for 1921.....		19,278.19
	\$ 50,000.00	\$ 50,000.00

We also have ties and other materials on hand to the value of \$7,500.

TEXAS STATE RAILROAD—STATEMENT OF OPERATING REVENUES AND
EXPENSES FROM SEPTEMBER, 1917, TO DECEMBER, 1920,
INCLUSIVE.

Month.	Revenues.	Operating Cost.	Deficit.
September, 1917	\$ 2,483.93	\$ 4,026.06	\$ 1,542.13
October, 1917	3,177.64	16,872.51	13,694.87
November, 1917	2,719.25	4,975.87	2,256.62
December, 1917	2,660.01	5,690.85	3,030.84
Total, four months.....	\$ 11,040.83	\$ 31,565.29	\$ 20,524.46

Month.	Revenues.	Operating Cost.	Deficit.
January, 1918	\$ 2,247.22	\$ 4,527.64	\$ 2,280.42
February, 1918	2,390.35	2,760.84	370.49
March, 1918	2,277.48	4,513.89	2,236.41
April, 1918	1,965.34	4,016.05	2,050.71
May, 1918	2,448.02	6,620.57	4,172.55
June, 1918	2,850.56	5,489.47	2,638.91
July, 1918	2,846.00	5,218.04	2,372.04
August, 1918	2,392.16	6,399.26	4,007.10
September, 1918	2,810.51	4,689.32	1,878.81
October, 1918	2,304.78	7,186.80	4,882.02
November, 1918	2,162.35	4,901.20	2,438.85
December, 1918	2,989.73	5,690.04	2,700.31
Total, 1918	\$ 29,984.50	\$ 62,013.12	\$ 32,028.62

Month.	Revenues.	Operating Cost.	Deficit.
January, 1919	\$ 2,220.07	\$ 4,388.89	\$ 2,068.82
February, 1919	2,218.97	4,669.37	2,450.40
March, 1919	2,619.55	4,485.92	1,866.37
April, 1919	3,490.10	7,339.18	3,849.08
May, 1919	3,749.26	6,321.42	2,572.16
June, 1919	5,455.07	6,840.87	1,385.80
July, 1919	2,638.65	8,205.66	5,567.01
August, 1919	3,665.70	9,651.14	5,985.44
September, 1919	2,135.14	6,411.84	4,276.70
October, 1919	2,409.10	16,980.17	14,571.07
November, 1919	2,010.05	6,678.04	4,637.99
December, 1919	2,225.77	9,124.11	6,898.34
Total, 1919	\$ 34,967.43	\$ 91,096.61	\$ 56,129.18

Month.	Revenues.	Operating Cost.	Deficit.
January, 1920	\$ 2,304.46	\$ 4,735.62	\$ 2,431.16
February, 1920	2,561.28	4,379.75	1,818.47
March, 1920	2,718.75	3,901.98	1,183.23
April, 1920	2,500.55	6,583.46	4,082.91
May, 1920	389.18	8,750.84	8,361.66
June, 1920	4,520.17	4,779.41	259.24
July, 1920	2,538.22	2,794.37	256.15
August, 1920	2,494.41	10,943.72	8,449.31
September, 1920	3,037.35	8,982.52	5,945.17
October, 1920	4,167.09	6,054.28	1,887.19
November, 1920	3,013.57	9,229.48	6,215.91
December, 1920	2,590.10	12,425.10	9,835.00
Total, 1920	\$ 32,855.13	\$ 83,551.53	\$ 50,696.40

GRAND TOTAL, SEPTEMBER, 1917, TO DECEMBER, 1920, INCLUSIVE.

Revenues	\$108,847.89
Operating cost	268,226.55
Deficit	159,378.66

Governor's Office,
Austin, Texas, January 18, 1921.

To the Thirtyseventh Legislature in
Regular Session.

Gentlemen: I quote the following passage from a message of retiring Governor Ross to the Twenty-second Legislature:

"The punishment attached to the violation of human laws is proportioned to the necessity of protecting society from a recurrence and incidentally, perhaps, that the person punished may reform.

"Under the genius and spirit of our laws where the man comes before the court, he is entitled to the benefit of all reasonable doubts, but the rule is reversed where his case is presented for executive clemency. The presumption obtains that justice has been meted out by his neighbors in a free trial. After these restrictions, I feel that I have failed to pardon some who are entitled to their liberty."

During my term I have pardoned approximately 2000 and have paroled approximately 200. The pardon power is the most difficult of all powers to properly exercise because it has its origin not only in the precepts but in the actual performances of the All-Wise Being. Mortal man, of course, can only do imperfectly that which God performs without fault or blemish. There is no more beautiful or truthful expression than that of Alexander Pope,

"To err is human, to forgive, divine."

In the exercise of this function of office, I trust I have been liberal, otherwise, I have fallen short of my aim and my purpose. The highest regard for judicial determination of guilt should be taken into consideration. It should be borne in mind at the same time, however, that the same Constitution which clothes juries and courts with authority to try and convict, clothes the Chief Executive with authority to pardon and reprieve. One power is lodged exclusively with the judicial department of the government, the other with the Executive. One involves that harshness and universality which brings punishment upon those who violate an immutable law; the other involves that power which gives another chance to the transgressor and opens the door of hope to one who might be willing to spend a lifetime in making amends for perpetrating a wrong.

It does not encourage contempt for law to use the pardon power after trial and conviction. Each is according to law and to established custom and ac-

ording to the best impulse within the human soul. Frequently the lesson is taught by conviction and a short time of service, and society is just as secure when the offense is forgiven by the State while the offender may himself become a useful member of society.

The same Constitution which charges the Governor with the responsibility of enforcing and executing the laws likewise charges him with the responsibility of doing away with or reducing the punishment meted out to those who offend the law at a time when the exercise of this function may help the individual and not hurt the State. The people collectively having provided a method for the exercise of each and all of these powers, it would seem in keeping with the best practice of constituted authority to use a hand of iron when it comes to enforcing the law and a hand of mercy when it comes to clemency for those who give evidence of doing better if given the coveted chance again.

In the trial and conviction of offenders against the law, the agencies of society whose duty it is to invoke the cold application of the statutes are called into being, while the heart of society is invoked through exercise of the power of pardon, "after conviction," to use the terms of the Constitution.

The parole system, too, is, in my judgment, a meritorious one and operates for the betterment of the convict. One who is worthy of the recognition of a "trusty" may, under this system, find employment, receive the pay earned from such employment, and be removed from prison association while the employment elsewhere continues. Such a system properly administered is in the interest of better treatment of the convict and operates without pecuniary loss to the prison system because the employer enters into an agreement to support the paroled prisoner.

No more responsible power has been conferred by the people on the Governor than the pardoning power and none which he is more solemnly obliged to perform, and none which expresses a higher degree of confidence and none which should be guarded more zealously. This power must be exercised upon his conscience and under his oath of office and cannot be delegated. It is wholly independent of the action of juries, judges and courts. Under the Constitution the power to pardon does not exist until final conviction by the courts. This power was not conferred alone to correct mistakes of courts and

juries, but to release persons wrongfully convicted. The object of confinement at hard labor has never been for the sole purpose of punishment; but other purposes have always been the reformation and repentance of the offender; his restoration to society, the making of a good citizen if possible, and the vindication of the law. And in these cases, the duty to pardon is just as potential as in other cases and must be exercised by the Governor according to his best judgment, and the people in framing the Constitution did not vest a limited power in the Governor, but invested him with an unlimited power, and the unqualified discretion to exercise it.

In my opinion, a person may be justly and properly convicted of crime and sentenced to the penitentiary for a term of years, and such person may as truly and thoroughly repent immediately after such conviction or after serving a brief part of such sentence as any length of service may accomplish; and his pardon might restore a good citizen and relieve the State and society of the burden and shame of one more convict, and return one more good citizen to the support and care of a needy and unprotected family and give to him and them an opportunity to rebuild a home and a good name. When I have reached such a conclusion in a given case, I have not hesitated to execute the mandate of the Constitution and give the convict a chance to demonstrate his worthiness of the pardoning power.

In trying to determine each individual case, I am not ashamed to admit that I have never been unmindful of the splendid example of the Master who graciously and fully pardoned the repentant thief on the Cross, and I think that example worthy of the whole world's emulation.

I have doubtless made mistakes in the exercise of this power and I fear I have made mistakes in withholding it, but when the people conferred this power on the Governor, they knew some mistakes would be made because no human could unerringly exercise it.

So with a full realization that I have possibly made mistakes in the exercise of this great power in pardoning some, perhaps, who should not have been pardoned and in not pardoning others who ought to have been pardoned, my only regret is not in liberating any of those whom I have liberated, but that lack of time, knowledge of facts, or any other circumstances should have caused me to make the mistake of not liberating

those, if any there be, who under the Constitution of the State, the divine example of our Master, and the just laws of our Merciful Father should have been liberated.

Respectfully submitted,

W. P. HOBBS,
Governor.

Governor's Office,

Austin, Texas, January 17, 1921.

To the Thirty-seventh Legislature in Regular Session:

During the administration now about to end, the penitentiary system has been operated at a profit and on a cash basis, while \$2,164,537.19 has been paid out in permanent improvements. These permanent improvements include farm lands, interest on land notes, live stock, the payment of old indebtedness, and making of permanent improvements on penitentiary properties. This does not take into account the running expenses of the system, which have been approximately \$100,000 per month, and which may be reduced because of the lower prices of implements, foodstuffs, dry goods, etc., which now prevail.

The annual statement showing in detail the operating expenses for the calendar year of 1920 is not yet available, but will be in readiness before the expiration of the present month. There remained on hand December 31, 1920, cash, \$148,061.66; cotton, 5,254 bales; corn, 75,000 bushels; sugar, 2,750,000 pounds.

The State now owns approximately 78,972 acres of land and has under lease this year about 5,744 acres. I have addressed my efforts to bringing about a condition under which the State prison system will be out of partnership with any individual in the cultivation of land, or otherwise, in connection with the system. I outlined this policy to the Thirty-sixth Legislature in a message dated February 25, 1919, and printed in both House and Senate Journals. I direct your attention to this message and the plan outlined. This plan has been practically consummated. The Blue Ridge litigation intervened and delayed the carrying out of the plan as early as would otherwise have been the case. The lease on the Bassett Blakely Farm then recommended to expire in 1921 has been extended to 1923, or two years longer, and that extension, together with the purchase of the Blue Ridge Farm, constitute the only change of any consequence in the original plan submitted

by me. The terms of the lease of the Bassett Blakely Farm are deemed favorable, and the Commissioner desired to cultivate it pending the clearing up of additional acreage for cultivation on State-owned farms. All other leases expire in the year 1921.

I recommend the enactment of a law which will prohibit the leasing of land for cultivation after the termination of these leases. At the beginning of this administration there were approximately 25,000 acres under lease by the Prison System. There are now 5,744 acres under lease, and the lease of 2,869 acres thereof expires the present year, and the lease of 2,875 acres thereof in the year 1923. I consider that the system, under the present management has to all practical purposes disposed of the practice of leasing land for the employment of convict labor, and that object has been kept steadily in mind and has been declared policy of the present prison management.

The State now owns 78.972 acres, of which about 43,000 acres are in cultivation. It is apparent, therefore, that the State owns abundant land for the employment of all convict labor, and acquisition of additional land is not needed.

I have brought about a settlement of the Blue Ridge litigation. The purchase of the Blue Ridge Farm was directed by the Thirty-sixth Legislature, and the land was deemed worth one hundred dollars per acre, by the Legislature, for agricultural purposes alone. The purchase involves about 5,500 acres which is acquired under the option contained in the original lease, at \$50 an acre, and a royalty of one-sixteenth is acquired in the mineral rights of all the lands in which the mineral rights were not specifically reserved by Mr. Bassett Blakely, the lessor, or by his vendors in the lease and option contract. The mineral rights in this land had been leased to various parties by Mr. Blakely under a special agreement with the Prison Commission made in July, 1916. Up to the present time, oil has been discovered only upon land where the mineral rights were originally reserved; but operations are now going forward actively on the lands where the State has acquired a royalty, and the outlook is considered most encouraging for the reaping of large revenues to the Prison

System through the means of this royalty. The settlement of the litigation on the terms set forth was considered a most advantageous one for the State by the Commission, by the Attorney General, and by the special counsel employed in the case and by me. One reason for considering the settlement an especially fortunate one for the State was the doubtful enforceability of the option, whose validity was one of the issues pending in the court.

The lease contained the following clause:

"If said option to purchase is exercised within three years from the first day of January, 1918, the lessor agrees to convey said property to the said Commission at the rate of fifty (\$50) dollars per acre for said land; and if the said Commission exercises its option to buy after the expiration of three years of this lease, the lessor agrees to sell and convey said premises at the rate of fifty-five (\$55) dollars per acre for said premises upon such terms as may hereafter be agreed upon by the lessor and the Commission."

It was deemed wise for many reasons, and especially because of the above quoted provision of the lease, to conclude the litigation. It is gratifying to report that a settlement has been made which all those invested with authority to act for the State considered a fortunate one and unquestionably for the best interests of the State.

Rumors of cruelties inflicted upon and mistreatment of convicts are customary, but when these rumors have been presented to me, inquiry on my part did not substantiate them. It is impossible, of course, to avoid abuses to some extent in the operation of the system, but I feel safe in saying that the treatment accorded the convicts has been humane and the record will show a reduction of inflictions of the most drastic punishments of the law. I congratulate the Prison Commissioners upon the results shown, and upon the efficiency of the system's management.

I attach hereto a copy of the statement of acreage owned and in cultivation by the Prison System furnished me by the Commissioners.

Respectfully submitted,

W. P. HOBBY,
Governor.

**STATEMENT OF ACREAGE OWNED AND IN CULTIVATION BY THE
TEXAS STATE PRISON SYSTEM.**

Farms Owned by State.

Name of Farm.	No. of Acres in Farm.	No. of Acres in Cultivation in 1920.
Clemens Farm	8,212	6,162
Harrington Farm	6,747	3,238
Eastham Farm	13,040	5,200
Ferguson Farm	4,320	1,602
Goree Farm	1,000	385
Harlem Farm	5,707	4,619
Imperial Farm	5,303	4,357
Ramsey Farm	14,955	6,120
Blue Ridge Farm.....	5,600	.....
Retrieve Farm	7,424	2,500
Shaw Farm	4,688	2,855
Wynne Farm	1,976	830
Total	73,372	
Total number of acres in cultivation in 1920		38,068

Leased Land—Name of Farm.

Bassett Blakely Farm—Bassett Blakely, Lessor (lease expires 1923), 2,875 acres; \$15,000 per year or one-fourth of all crops.

Harlem Farm—Bassett Blakely, Lessor (lease expires in 1921), 483 acres; \$5 an acre or one-fourth of all crops.

Real F. Ransom, Lessor (lease expires in 1921), 1,386 acres; \$6 per acre or one-fourth of all crops.

Imperial Farm—Bassett Blakely, Lessor; 1,000 acres; \$7 per acre or one-fourth of all crops.

Total number of acres leased land in cultivation in 1920, 11,344.

Total number of acres State owned land.....	73,372	
Total number acres State owned land in cultivation in 1920...		38,006
Total number acres leased land in cultivation in 1920.....		11,344

Totals	73,372	49,412
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STATEMENT TEXAS STATE PRISON SYSTEM.

Showing amounts paid out for land, interest on land notes, old indebtedness, permanent improvements and live stock, during the administration of Governor W. P. Hobby. Also, statement of cash and farm products on hand for sale:

	1917.	1918.	1919.	1920.
Cash payments on land...	\$ 350,879.60	.....	.....	\$ 107,050.00
Land notes paid.....	\$ 3,571.00	447,285.60	\$187,793.04	108,000.00
Interest paid on land notes	33,137.34	55,424.28	43,888.36	28,225.90
Paid for live stock.....	20,235.00	82,314.15	41,501.31	70,774.75
Paid on old indebtedness..	.....	375,965.04	11,590.18	3,951.14
Total for year.....	\$ 56,943.34	\$1,311,868.67	\$284,772.89	\$ 318,001.79
Total amount				\$1,971,586.69
Total amount expended for permanent improvements during same period				192,951.50
Total				\$2,164,537.19

BILLS RE-REFERRED.

On motion of Mr. Jones, House bills Nos. 126 and 106 were withdrawn from the Committee on Oil, Gas and Mines and referred to the Committee on Public Lands and Buildings.

ADJOURNMENT.

On motion of Mr. O. B. Black of Bexar, the House, at 5:20 o'clock p. m., adjourned until 10:30 o'clock a. m. tomorrow.

SIXTH DAY.

(Tuesday, January 18, 1921.)

The House met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Thomas.

The roll was called and the following members were present:

Adams.	Grissom.
Aiken.	Hanna.
Baker.	Hardin.
Baldwin.	Harrington.
Barker.	Henderson
Barrett of Bell.	of Marion.
Barrett of Fannin.	Hendricks.
Bass.	Hill.
Beasley	Horton.
of Hopkins.	Johnson of Ellis.
Beasley	Johnson
of McCulloch.	of Wichita.
Beavens.	Jones.
Bonham.	Kacir.
Black, O. B.,	Kellis.
of Bexar.	King.
Black, W. A.,	Kveton.
of Bexar.	Lackey.
Branch.	Laird.
Bryant.	Laney.
Burkett.	Lauderdale.
Burns.	Lawrence.
Carpenter.	Leslie.
Childers.	Lindsey.
Chitwood.	Looney.
Coffee.	McCord.
Crawford.	McDaniel.
Cummins.	McFarlane.
Curtis.	McKean.
Darroch.	McLeod.
Davis, John E.,	Martin.
of Dallas.	Marshall.
Davis, John,	Mathes.
of Dallas.	Melson.
Dinkle.	Merriman.
Duffey.	Miller of Dallas.
Duncan.	Miller of Parker.
Edwards.	Moore.
Faubion.	Morris of Medina.
Fly.	Morris
Fugler.	of Montague.
Garrett.	Mott.
Greer.	Neblett.

Owen.	Stewart of Reeves.
Patman.	Swann.
Perkins	Sweet of Brown.
of Cherokee.	Sweet of Tarrant.
Perkins of Lamar.	Teer.
Perry.	Thomas
Pollard.	of Limestone.
Pool.	Thomason.
Quaid.	Thompson
Quicksall.	of Harris.
Quinn.	Thompson
Rice.	of Red River.
Rogers of Harris.	Thorn.
Rogers of Shelby.	Thrasher.
Rountree.	Veatch.
Rowland.	Wadley.
Satterwhite.	Walker.
Schweppe.	Wallace.
Seagler.	Webb.
Shearer.	Wessels.
Sims.	West.
Smith.	Westbrook.
Sneed.	Williams
Stephens.	of McLennan.
Stevenson.	Williams
Stewart	of Montgomery.
of Edwards.	Wright.

Absent.

Binkley.	Estes.
Brady.	Malone.
Brown.	Neinast.
Burmeister.	

Absent—Excused.

Cox.	Morgan.
Crumpton.	Pope.
Hall.	Rosser.
Henderson	
of McLennan.	

A quorum was announced present.

Prayer was then offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Hall for today and tomorrow, on motion of Mr. O. B. Black of Bexar.

Mr. Teer for yesterday, on motion of Mr. Faubion.

Mr. Crumpton for this week, on motion of Mr. Thompson of Red River.

OATH OF OFFICE ADMINISTERED.

The Speaker appointed Mr. Miller of Dallas, Mr. Faubion and Mr. Bonham as a committee to escort Hon. Sam E. Johnson, Representative-elect from Gillespie county, to the Speaker's stand.

The committee having performed their duty, the constitutional oath of office was administered to Mr. Johnson by Speaker Thomas.